

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

JASON HARTMAN

Plaintiff,

v.

QUENTIN KEARNEY, et al.

Defendants.

Case No. 1516-CV01981

Division 8

AMENDED ORDER

Before the Court is Plaintiff's Motion To Disqualify Defendants' Counsel; Motion to Continue Trial Setting; Motion for Sanctions, filed November, 13, 2018. The Court, being duly advised in the premises, having reviewed said Motion, Defendants' Suggestion in opposition to Plaintiff's Motion to Disqualify Counsel, Motion to Continue Trial Setting and Motion for Sanctions thereto, filed November 19, 2018, and Plaintiff's reply thereof, filed out of time on November 28, 2018, hereby by finds as follows:

The Court, having reviewed the motions and the suggestions of the parties, and upon careful consideration of the pleadings finds that this case raises unique, complex and troubling issues, potentially meriting additional discovery and inquiry, and therefore appointment of a Special Master is necessary and appropriate and therefore pursuant to Missouri Supreme Court Rule 68.01 does immediately appoint the Honorable J.D. Williamson as Special Master in this matter.

The Special Master has and shall exercise the power to do all the acts and all measures necessary or proper for the efficient performance of his duties under this Order. The Special Master is further appointed for the purposes of addressing all future issues arising out of or related to the following pending motions:

1. The Plaintiff's Motion to Disqualify Defendants' Counsel, filed November 13, 2018;
2. The Plaintiff's Motion Continue Trial Setting, filed November 13, 2018;
3. The Plaintiff's Motion for Sanctions, filed November 13, 2018;
4. The Court further reserves the right to appoint the Special Master to any future Motions that are filed, if the Court deem it necessary and appropriate.

The Special Master shall comply with Rule 68.01 shall file a report in accordance with Rule 68.01(g). The costs and fees in this matter shall be equally divided, one-half to Plaintiffs and one-half to Defendants, unless otherwise ordered and the Court specifically requests the Master to make a recommendation concerning the appropriate apportionment of fees. Plaintiff and Defendant are each to deposit \$5,000.00 in the Trust account of Special Master, as an initial deposit in the matter. From that point on, the Special Master shall be compensated at his normal hourly rate. Monthly statements shall be submitted by the Special Master to this Court and, upon approval, the Court will direct that payment be made directly to the Special Master within 30 days of its order. The parties are to provide copies of all filed discovery, pleadings and other pretrial matters to the Special Master. The Court retains jurisdiction over the final disposition of the case.

In light of the appointment of the Special Master, as set forth above, the Court hereby GRANTS Plaintiff's request to re-open the deposition of Quentin Kearney. Further, trial of the matter is hereby continued to be re-set at a future date.

The matter shall be set for a CASE MANAGEMENT CONFERENCE on December 17, 2018 at 8:30 a.m. The Special Master shall attend this case management conference and present any findings of his report pursuant to Rule 68.01(g) at said conference.

IT IS SO ORDERED.

1/4/19

Date


HONORABLE BRYAN E ROUND

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was duly delivered on:

29th day of November, 2018 to:

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Law Clerk or JAA, Division 8